

# Michigan Court of Appeals

## DOCKETING STATEMENT

Case No:  
Circuit: D8-017363  
Court of Appeals: CH  
291065

Please read before completing form.

- MCR 7.204(H) and 7.205(D)(3) require an **appellant** in a civil action to complete and file a docketing statement within 28 days after the claim of appeal is filed or the application for leave to appeal is granted. Failure to timely file this document may lead to dismissal of the appeal. An appellee may respond by filing a separate docketing statement.
- This document will be used to screen the appeal for suitability and eligibility for the settlement conference program, and will be used to help resolve jurisdictional and transcript issues. It is important that you complete this form accurately and legibly.
- The issues identified in the docketing statement do not limit appellant's presentation of the issues in appellant's brief. Omission of an issue in the docketing statement will not provide a basis for a motion to strike appellant's brief.

### 1. Case Name:

<input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Appellee
Name of first Plaintiff <u>Kelli Donoho</u>
Address: <u>34841 Mound Road Apt 265</u> <u>Sterling Heights MI 48310</u>
Telephone No: <u>248 298-9928</u>
Attorney Name: _____ Bar No: _____
Address: _____
Telephone No: _____

<input type="checkbox"/> Appellant <input type="checkbox"/> Appellee
v <u>MERS, Homecoming Financial, Residential Funding</u>
Name of first Defendant
Address: _____
Telephone No: _____
Attorney Name: <u>Orkens Associates</u> Bar No: _____
Address: <u>1656 West Big Beaver</u> <u>Troy MI 48064</u>
Telephone No: <u>248 502-1400</u>

2. ☐ A bankruptcy or other proceeding has been filed which affects this Court's jurisdiction over this appeal.

Identify and explain.

3. ☐ There are pending or prior appeals in the Court of Appeals or Supreme Court which arose out of the same transaction, lower court case, or between the same parties.

Specify case name, lower court number, appellate court number(s), and citation, if available.

4. ☐ I am aware of the following pending appeals in the Court of Appeals or Supreme Court raising the same or closely related issues.

Specify case name, lower court number, appellate court number(s), and citation, if available.

5. Identify all the lower court hearings.

Type of proceeding (i.e. motion, trial, etc.)	Date(s) Occurred	Court Reporter
Motion For Summary Jud.	3/3/2009	See Transcripts

6. Nature of case:

a. If the lower court case number provided on page 1 does not include a suffix, please specify the circuit court case code (i.e. NI, CK, etc): \_\_\_\_\_.

b. Identify the procedural nature of the case being appealed.

- ☐ arbitration      ☐ bench trial      ☐ post-judgment action      ☐ declaratory judgment  
☐ interlocutory matter      ☐ jury trial      ☒ summary disposition  
☐ administrative proceeding (specify agency) \_\_\_\_\_  
☐ other (i.e. default judgment) \_\_\_\_\_

7. Briefly describe the nature of the action and the result in the trial court. Conclusory statements such as "the judgment of the trial court is not supported by law" are unacceptable. Attach additional pages as needed.

The nature of action was due a rescission of an illegal void Mortgage. The Appellant never received a closing package disclosing their right to cancel and other disclosures the Federal Truth in Lending.

8. Briefly state the issues to be raised in this appeal. Attach additional pages as needed.

- The lower court did not acknowledge that Residential Funding Corporation did not have A valid interest in my Property. I presented the facts before the court with documents to support my claim; however it was overlooked by the lower courts.

9. The amount and terms of the judgment appealed are:

Quiet title to property

Damages / violations → \$ 442,824.00

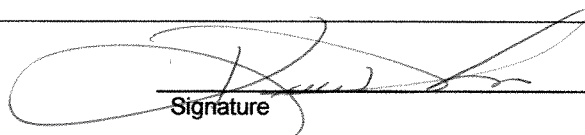
10. Settlement negotiations. (Check all boxes that apply.)

- ☐ Settlement negotiations have been conducted or are scheduled.  
☐ Settlement is unlikely.  
☒ Other will negotiate

Date

6/22/09

Signature



Provide the Proof of Service on a separate form.